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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,887	01/25/2001	Andrea Bimson	40655.0400	5480

7590 06/27/2006

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EXAMINER

HUYNH, THU V

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,887

Applicant(s)

BIMSON ET AL.

Examiner

Thu V. Huynh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration:
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: RCE filed on 01/11/06 and response to non-compliant amendment filed on 04/12/06 to application filed on 12/25/2001, which has the benefit of prior provisional filed on 01/27/2000.
2. Claims 1, 3 and 14 are currently amended. Claim 5 is currently canceled.
3. Claims 1-4, 6 and 14 are pending in the case. Claims 1 and 14 are independent claims.
4. All rejections in the previous office action have been withdrawn as necessitated by the amendment.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 1 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo et al., US 6,684,369 B1, filed 1997, and Dabney et al., US 6,643,663 B1, filed 10/1999, and Gill et al., US 6,052,514, filed 01/1995 as previous provided by examiner "Notice of References cited" mailed on 06/14/05, Ferrel et al., US 5,860,073, filed on 07/95, and Hind et al., US 6,715,129 B1, filed on 10/99.**

Regarding independent claim 1, Bernardo teaches managing web contents from many web site's companies, including the steps of:

- receiving, at a content management application, a request to create updated content for a content page within said company website, wherein said updated content comprises data elements (Bernardo, col.7, lines 14-16; col.8, lines 29-35; col.9, lines 48-64; col.10, lines 55-61; receiving a request to create, edit/update a web site, such as editing/updating or adding images, logos, text, graphics, and other object/content in a web page of a company website);
- creating said data elements according to said request (Bernardo, col.3, lines 29-38; col.6, lines 32-56; col.8, lines 1-37; col.9, lines 48-64; col.10, lines 55-61; creating edited/updated content that comprises objects, such as images, logos, text, graphics, etc.);
- storing said each of said data elements as a markup language file in a database, wherein said data elements are decoupled from said content page (Bernardo, fig:1; col.5, line 51 – col.6, line 22; col.9, lines 24-47; col.10, lines 19-32; storing non-HTML objects and html objects respectively so that a user is able request both html object and non-HTML object; each object in the web site contains an associated profile document; changing a company logo in the profile document, resulting automatically update each page of the web site associated with the profile document. This inherently discloses that the logos (objects) must be decoupled from said content page);

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- creating an updated content page, wherein said updated content page comprises content mapping data which includes instructions for mapping said data elements to said updated content page (Bernardo, col.6, lines 44-56; col.8, lines 1-12; col.10, lines 14-16; generating an HTML file comprises content mapping data for incorporating relationships for the updated content page);
- routing said updated content page to a reviewer for approval (Bernardo, col.8, lines 20-27; routing the created/edited web page to a reviewer);
- publishing said markup language file to said company website upon receiving approval of said updated content from said reviewer (Bernardo, col.9, lines 15-22; col.12, lines 1-10; col.23, lines 20-48); and
- receiving a request to view said updated content page (Bernardo, figures 2-3; col.5, lines 44-52; col.19, lines 1-17; user view updated web page).

Bernardo teaches databases 116 and 148 for storing non-HTML objects (elements) and html objects (elements) respectively so that a user is able request both html object and non-HTML object (Bernardo, fig.1; col.5, line 51 – col.6, line 22; col.9, lines 24-47). However, Bernardo does not explicitly disclose each of said data element is individually routed; the updated content page is created when each of said data elements has been authorized; and storing said data elements in a database globally accessible by a reviewer; retrieving said data elements according to said content mapping data of said updated content page, wherein said data elements are positioned on said updated content page according to said content mapping data; translating said markup language file from a first markup language format to a second markup language format for presentation on said company website.

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Dabney teaches:

- storing updated content in a database globally accessible by a reviewer, wherein said updated content is decoupled from said content page (Dabney, col.5, line 63 – col.6, line 34; storing edited content data in a database so that a reviewer is able to review and edit the data before using in a web page).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Dabney into Bernardo to store data/objects into a database accessible by a reviewer, since the combination would have allowed the reviewer to review a particular object on a completed web page (Bernardo, col.12, lines 6-10) as well as review the particular object or non-web object only (Dabney, col.6, lines 20-32; Bernardo, col.6, lines 15-21).

Gill teaches routing each updated portion of a document to a reviewer and creating an updated content page when each of updated portion has been authorized by the reviewer (Gill, fig.2; col.3, lines 33-45; col.9, lines 3-64; each object areas 208 and 216 is assigned to different users for editing, such as articles or image. Each updated article is stored in a file (212) and routed to the layout designer for reviewing. The layout designer reviews, incorporates all updated articles and sends to a printing system and an archive storage device).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Gill and Bernardo and Dabney to review an updated portion of a document/web page, since the combination would have routed and notified the updated portion for the reviewer to review such portion for approval.

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Ferrel teaches creating an updated content page, wherein said updated content page does not include said data elements and comprises content mapping data which includes instructions for mapping said data elements to said updated content page; and retrieving said data elements according to said content mapping data of said updated content page, wherein said data elements are positioned on said updated content page according to said content mapping data (Ferrel, col.9, lines 20-46; “separate content and design using MPS rather than placing content directly on a page ... that dynamically find and display the content at runtime” and “Using this technique a publisher can change a title on a ongoing basis by merely updating the content”).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Ferrel’s teaching and Bernardo’s teaching to retrieve and display the updated data element at runtime when a user requests to view an updated website/web page, since the combination would have provided different implementations of creating/updating a website or web page as Ferrel disclosed “major advantage of this approach is flexibility. Some part of a title may be created by hang-placing content directly on a page, and other parts may be created using dynamic synthesis” (Ferrel, col.9, lines 47-52).

Hind teaches translating said markup language file from a first markup language format to an HTML format for presentation in XML format upon request by a user (Hind; col.1, lines 16-30, transcoding is a technique well known in the art ... an HTML (HyperText Markup Language) document may be translated into an XML (Extensible Markup Language) document before transmitting it to a client”).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Hind’s transcode into Bernardo’s markup language to

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translate the HTML document into XML document, since the combination would have provided a website/web page in different markup language as Hind disclosed.

Claim 14 is for a computer readable medium containing instructions for performing the method of claim 1 and is rejected under the same rationale.

7. **Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo, Dabney, Gill, Ferrel and Hind as applied to claim 1 above, and further in view of Livingston, US 6,424,979, filed 1998.**

Regarding dependent claim 2, which are dependent on claim 1, Bernardo does not explicitly disclose said markup language file is in the extensible Markup Language (XML) format.

Livingston teaches markup language comprise HTML and XML (Livingston, col.12, lines 20-23).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Livingston's markup languages into Bernardo's markup language to create, edit, or update content of a website, since the combination would have facilitated generating markup language process in both popular markup languages: HTML and/or XML.

Regarding dependent claim 3, which are dependent on claim 1, Bernardo teaches retrieving said markup language file from said database (Bernardo, col.23, lines 20-48; retrieving the updated web page from a link to review). However, Bernardo does not explicitly teach

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translating said markup language file from a first markup language format to a second markup language format for presentation on said company web site.

Livingston teaches translating said markup language file from a first markup language format to a second markup language format for presentation on said company web site (Livingston, col.11, lines 34-36 and col.12, lines 20-23).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Livingston's markup languages into Bernardo's markup language to create, edit, or update content of a website, since the combination would have facilitated generating markup language process in both popular markup languages: HTML and/or XML.

8. **Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bernardo, Dabney, Gill, Ferrel and Hind as explained in claims 1 and 2 above, and further in view of Bi et al., US 6,311,178 B1, filed 09/1998 and Branson US 5,877,819, filed 04/1998.**

Regarding dependent claim 4, which is dependent on claim 1, Bernardo does not explicitly teach storing said markup language file includes storing said markup language file in an extensible database that is platform and software independent.

Bi teaches extensible database used to serve client requests (Bi, col.8, lines 45-59).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bi and Bernardo to include an extensible database, since this would have allow the client/user request or queries as Bi disclosed.

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However, Bi does not explicitly disclose a database that is platform and software independent.

Branson teaches database that is platform and software independent (Branson, col.28, lines 4-11).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Branson's database into Bi and Bernardo to provide a database that is platform and software independent, since this would allowed to only change the software drivers that control devices that are added or removed from the system as Branson disclosed.

Regarding dependent claim 6, which is dependent on claim 2, Bernardo does not explicitly disclose storing said markup language file includes storing said markup language file in an extensible database that is platform and software independent, wherein said markup language file is an XML file.

Bi teaches extensible database used to serve client requests (Bi, col.8, lines 45-59).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Bi and Dodrill to include an extensible database, since this would have allow the client/user request or queries as Bi disclosed.

However, Bi does not explicitly disclose a database that is platform and software independent.

Branson teaches database that is platform and software independent (Branson, col.28, lines 4-11).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Branson's database into Bi and Bernardo to provide a database that is platform and software independent, since this would allowed to only change the software drivers that control devices that are added or removed from the system as Branson disclosed.

Response to Arguments

9. Applicant's arguments with respect to claims 1-4, 6 and 14 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that "neither Bernardo, Dabney, nor a combination thereof, disclose or suggest at least "retrieving said data elements according to said content mapping data of said updated content page, wherein said data elements are positioned on said updated content page according to said content mapping data"".

However, the combination of Ferrel and Bernardo teaches such limitation as explained in the rejection above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wanderski et al., US 6,519,617 B1, filed 04/99, teaches automated creation of an XML dialect and dynamic generation of a corresponding DTD.

Jamtgaard et al., US 6,430,624 B1, filed 10/99, teaches converting HTML to XML.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Thu V. Huynh
June 23, 2006